

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 7,530,676 B2; Issued May 12, 2009

Application No.: 10/560,001

Filing Date: December 8, 2005

Applicant: Atsushi Tomozawa, et al.

Group Art Unit: 2853

Examiner: Alexander C. Witkowski

Title: Piezoelectric Element, Inkjet Head, Angular Velocity Sensor, Methods for Manufacturing Them and Inkjet Recording Device

Attorney Docket: 5077-000249/US/NP

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

REQUEST FOR RECONSIDERATION OF PETITION UNDER RULE 1.705

Patentee hereby requests reconsideration of the Petition for corrected Patent Term Adjustment under Rule 1.705 which was dismissed by the Office in a Decision dated August 14, 2009. In view of the fact that *Wyeth v Dudas* is currently on appeal to the Court of Appeals for the Federal Circuit, Patentee respectfully requests the Office to defer decision on this Request for Reconsideration until such time as the Court of Appeals for the Federal Circuit has ruled in *Wyeth v Dudas*. This request is made in the interest of judicial economy and because *Wyeth v Dudas* is expected to construe the statutory meaning of "overlap" as used in 35 U.S.C. § 154(b).

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